UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

| | ORDER | DEPLITY CLERK |
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| DAVID J. WAKEFIELD, <u>et al.</u> , Defendants | : : | SEP 2 7 2012 |
| | : (Judge Nealon) | SCRANTON |
| v. | : CIVIL NO. 3:09-cv-0979 | FILED |
| ANTHONY LEE GRAY, Plaintiff | : : | |

NOW, this 28th day of September, 2012, for the reasons set forth in the Memorandum issued this date, IT IS HEREBY ORDERED THAT:

- 1. Defendant Brown's second motion for summary judgment (Doc. 91) is **GRANTED**;
- 2. The Clerk of Courts is directed to **TERMINATE** Defendant Allison Brown as a party to this action; and
- 3. Any appeal will be deemed frivolous, not taken in good faith, and without probable cause.

United States District Judge

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